

**RE: FW: CPRA request (DCA.2018.01.14.a)**

**From:** [Criswell, Tiffany@DCA](mailto:Criswell,Tiffany@DCA) <[Tiffany.Criswell@dca.ca.gov](mailto:Tiffany.Criswell@dca.ca.gov)>  
**To:** [REDACTED]  
**Subject:** RE: FW: CPRA request (DCA.2018.01.14.a)  
**Date:** Friday, February 16, 2018 9:52 AM  
**X-Delivered-To:** [REDACTED]  
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Dear [REDACTED]

Determinations made during the review of complaint investigations as to whether or not the preparation of documents, plans, reports, etc. constitutes the regulated practices of civil, electrical, or mechanical engineering are not based on nonexistent policy. Business and Professions Code sections 6731, 6731.5, and 6731.6, respectively (see text below), define the practices, and any determination during our investigations by one or more licensed professional engineers of what constitutes these practices is based on these statutes.

There will be no policy written to further identify a practice or preparation of certain kinds of documents as professional engineering as these statutes provide for such purpose. Further, the publication of such a policy would likely be engaging in creating underground regulation, which is prohibited. However, Board Staff, independent of complaint investigations, can assist and make available the review of specific documents by a licensed engineer to determine if the preparation of them constitutes civil, electrical, or mechanical engineering.

#### 6731. Civil engineering defined

Civil engineering embraces the following studies or activities in connection with fixed works for irrigation, drainage, waterpower, water supply, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, purification of water, sewerage, refuse disposal, foundations, grading, framed and homogeneous structures, buildings, or bridges:

- (a) The economics of, the use and design of, materials of construction and the determination of their physical qualities.
- (b) The supervision of the construction of engineering structures.
- (c) The investigation of the laws, phenomena and forces of nature.
- (d) Appraisals or valuations.
- (e) The preparation or submission of designs, plans and specifications and engineering reports.
- (f) Coordination of the work of professional, technical, or special consultants.
- (g) Creation, preparation, or modification of electronic or computerized data in the performance of the activities described in subdivisions (a) through (f).

Civil engineering also includes city and regional planning insofar as any of the above features are concerned therein.

Civil engineers registered prior to January 1, 1982, shall be authorized to practice all land surveying as defined in Chapter 15 (commencing with Section 8700) of Division 3.

[NOTE: The last registration number issued to a civil engineer registered before January 1, 1982 was 33,965.]

#### 6731.5. Electrical engineering defined

(a) Electrical engineering is that branch of professional engineering described in Section 6734.1 that embraces studies or activities relating to the generation, transmission, and utilization of electrical energy, including the design of electrical, electronic, and magnetic circuits, and the technical control of their operation and of the design of electrical gear. It is concerned with the research, organizational, and economic aspects of the above.

(b) The design of electronic and magnetic circuits is not exclusive to the practice of electrical engineering, as defined in subdivision (a).

#### 6731.6. Mechanical engineering defined

Mechanical engineering is that branch of professional engineering described in Section 6734.2 that deals with engineering problems relating to generation, transmission, and utilization of energy in the thermal or mechanical form and also with engineering problems relating to the production of tools, machinery, and their products, and to heating, ventilation, refrigeration, and plumbing. It is concerned with the research, design, production, operational, organizational, and economic aspects of the above.

Sincerely,

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